

### **REMARKS**

Attorney for applicant has carefully reviewed the outstanding Office Action on the present application. Applicant has amended Claim 9.

The October 30th Office Action has been made final. In such circumstances, a Request for Continued Examination ("RCE") is enclosed herewith to expedite prosecution of the present application.

Claims 9, 11, 12, 14, and 15 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement, and under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the Examiner objected to the step cutting edges being defined as "sharply formed." To facilitate matters, applicant has removed this phrase from Claim 9.

The Examiner also objected to the guide cutting edges being defined as "bluntly formed." Applicant's attorney has amended Claim 9 to clarify that the guide cutting edges of the drill are blunt (i.e., has a blunt surface) in an effort to positively claim the structure rather than the way it is formed. Please note that support for this amendment can be found in at least the following sections of the specification:

1. Paragraph [0023] of the published application (page 5, lines 14-16 of the specification) states that "The blunt guide cutting edges..."
2. Paragraph [0024] of the published application (page 6, lines 2-4 of the specification) states that "...while the guide cutting edges are blunt, that is to say non-cutting."
3. Paragraph [0079] of the published application (page 11, lines 3 and 4 of the specification) states that "...while the guide cutting edges 112 are blunt, non-cutting."

4. Paragraph [0101] of the published application (page 15, lines 29-31 of the specification) states that "The blunt guide cutting edges 112..."

5. Paragraph [0108] of the published application (page 17, lines 3-6 of the specification) states that "...the guide cutting edges 212 of which are blunt..."

Claims 9, 11, 12, 14, and 15 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,871,356 to Guedj in view of U.S. Patent No. 3,564,945 to Bradley. This claim rejection is respectfully traversed for the following reasons.

As recited in amended Claim 9 (and as best shown in Figs. 1A and 1B), the pilot drill (1) includes tip cutting edges (101) that are **sharply** formed, guide cutting edges (112) that have a **blunt** form, and a drill neck (12) with a bevel (123) that is **sharply** formed. Amended Claim 9 also recites (and as best shown in Figs. 2A and 2B) a step drill (2) that includes tip cutting edges (201) that are **sharply** formed, guide cutting edges (212) that have a **blunt** form, and a drill neck (22) with a bevel (223) that is **sharply** formed.

The **blunt** guide cutting edges make it possible to correct the drilling direction within a conical range of correction without widening the pilot bore guide. Thus, the **blunt** guide cutting edges can be used to correct the axial direction by maintaining the precision of the bore.

It is respectfully submitted that the Guedj reference and the Bradley reference, whether considered individually or in combination with each other, do not

anticipate or make obvious the present invention as recited in amended independent Claim 9. The drill disclosed in the Guedj reference is structurally different than the pilot drill or the step drill recited in amended Claim 9. For example, the Guedj reference does not disclose or suggest a drill with guide cutting edges that have a **blunt** form.

Further, the Guedj reference is void of any disclosure or suggestion of a drill that has **sharply** formed tip cutting edges, guide cutting edges that have a **blunt** form, and a drill neck with a **sharply** formed bevel. Accordingly, the Guedj reference does not disclose or suggest the drill set recited in amended Claim 9.

With respect to the Bradley reference, it discloses a step drill having a number of steps successively widening in diameter. The step drill disclosed in the Bradley reference is used for cutting into or through metal or other materials such as synthetic resins. There is no disclosure or suggestion in the Bradley reference of a step drill that has **sharply** formed tip cutting edges, guide cutting edges (212) that have a **blunt** form, and a drill neck (22) with a **sharply** formed bevel (223). Accordingly, the Bradley reference does not disclose or suggest the drill set recited in amended Claim 9.

In view of the foregoing circumstances, even if it were obvious to combine the drill of the Guedj reference with the drill of the Bradley reference, the resulting combination would not result in the present invention, since it would still lack a drill that has **sharply** formed tip cutting edges, guide cutting edges that have a **blunt** form, and a drill neck with a **sharply** formed bevel, as recited in amended Claim 9. Accordingly, applicant's attorney respectfully requests that the Examiner withdraw his rejection based upon the Guedj and Bradley references.

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In the foregoing circumstances, amended independent Claim 9 is believed to be in condition for allowance. Because Claims 11, 12, 14, and 15 depend from amended independent Claim 9, they are also in condition for allowance.

In view of the foregoing amendments and remarks, applicant's attorney respectfully requests reexamination and allowance of pending Claims 9, 11, 12, 14, and 15. If such action cannot be taken, the Examiner is cordially invited to place a telephone call to applicant's attorney in order that any outstanding issue may be resolved without the issuance of a further Office Action.

Enclosed is a Petition for a three-month extension of time to and including April 30, 2008. Also enclosed is a Request for Continued Examination Transmittal Form which authorizes payment of the RCE filing fee. If there are any additional fees due as a result of this Amendment, including extension and petition fees, the Examiner is authorized to charge them to Deposit Account No. 503571.

Respectfully Submitted,

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